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**FAX TRANSMISSION TO USPTO**TO: Commissioner for Patents  
Attn: Examiner Te Y. Chen  
Patent Examining Corps  
Facsimile Center  
Alexandria, VA 22313-1450FROM: Jason S. Feldmar  
OUR REF.: G&C 30566.129-US-01  
TELEPHONE: (310) 642-4141Total pages, including cover letter: **30**PTO FAX NUMBER: **(703) 872-9306**

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Title of Document Transmitted:	BRIEF OF APPELLANTS INCLUDING EVIDENCE APPENDIX (INTERVIEW SUMMARY) AND AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT IN THE AMOUNT OF \$330 FOR BRIEF OF APPELLANTS' FEE.
Applicants:	Daniel Lee Thompson et al.
Serial No.:	09/939,847
Filed:	August 27, 2001
Group Art Unit:	2171
Title:	STAGED STYLIZATION IN MULTIPLE TIERS
Our Ref. No.:	G&C 30566.129-US-01

Please charge all fees to Deposit Account No. 50-0494 of Gates &amp; Cooper LLP.

By: Name: Jason S. Feldmar  
Reg. No.: 39,187

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

  
Signature  
Date

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G&amp;C 30566.129-US-01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Daniel Lee Thompson et al. Examiner: Te Y. Chen  
Serial No.: 09/939,847 Group Art Unit: 2171  
Filed: August 27, 2001 Docket: G&C 30566.129-US-01  
Title: STAGED STYLIZATION IN MULTIPLE TIERS

## CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

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Typed Name of Person Mailing this Certificate: Suzie McCleave

INTERVIEW SUMMARY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

A Request for Reconsideration (in response to a final Office Action dated April 21, 2004) was submitted on June 21, 2004. Various teleconferences were conducted on July 14, 2004 and July 20, 2004 with the Examiner subsequent to the filing of the Request during which the status of the case was requested by Attorney for Applicants, Jason. S. Feldmar, Reg. No 39,187, from the Examiner. No agreement was reached.

On July 21, 2004, an Advisory Action was mailed that provided the following:

The amendment filed on June 21, 2004 changes the ground of arguments on record (e.g., the arguments under U.S. Code, 112 2<sup>nd</sup> rejection) which is admitted by applicant in a telephone interview held on July 14, 2004, thus the instant invention requires further consideration or search. In addition, examiner notes Rule 37 CFR 1.111(b) requires Applicant to "distinctly and specifically point out errors" in the examiner's action. Also, arguments or conclusions of Applicant cannot take the place of evidence. In re Cole, 51 CCPA 919, 326 F.2d 769.

Appellants respectfully disagree with the above assertions. Appellants did not admit that the grounds of the arguments on record were changed. Further, Appellants submit that the arguments

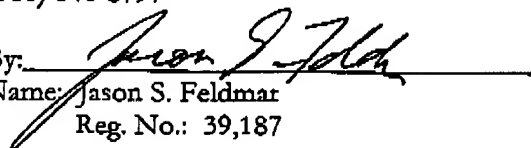
made in the Request for Reconsideration (and set forth above) distinctly and specifically point out errors in the Examiner's action.

Respectfully submitted,

GATES & COOPER LLP  
Attorneys for Applicant(s)

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Date: September 21, 2004

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